



Appeal Decision

Inquiry held on 28-30 November and 5 December 2023

Site visits made on 27 November and 1 December 2023

by **Graham Chamberlain BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th December 2023

Appeal Ref: APP/Z3635/W/23/3325635

Bugle Nurseries, Upper Halliford Road, Shepperton, Surrey TW17 8SN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by Angle Property (RLP Shepperton) LLP against Spelthorne Borough Council.
- The application Ref 22/01615/OUT, is dated 15 November 2022.
- The development proposed is described as *'Outline application with approval sought for scale, access and siting, with details of appearance and landscaping reserved, for the demolition of existing buildings and structures, removal of waste transfer facility and the redevelopment of the site for up to 80 residential units and the provision of open space and a play area, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes'*.

Decision

1. The appeal is dismissed and planning permission refused.

Preliminary Matters

2. The planning application was submitted in outline with details of 'appearance' and 'landscaping' reserved for future consideration. 'Scale', 'access' and 'layout' are therefore before me. To this end, the appellant has submitted parameter plans fixing certain details. In addition, illustrative plans have been provided showing how the site could ultimately be landscaped and the houses designed. These drawings are not advanced for approval though. I have considered the proposal on this basis. For the avoidance of doubt, the reference in the description of development to 'siting' is taken to mean 'layout'.
3. During the Inquiry, the appellant amended 'scale' by reducing the maximum height of the proposed buildings from 9.5m to 8.7m. Although a notable change, it did not render the substance of the scheme fundamentally different to that originally submitted. Moreover, as the change was to fix the height of the buildings within a scale range already advanced for consideration, albeit lower than originally proposed, there would be no procedural unfairness in not consulting interested parties. As a result, and when having regard to the relevant case law,¹ no one has been prejudiced by me accepting the change.
4. Due to unforeseen circumstances the appellant replaced one of their witnesses at short notice. The new witness was able to adopt the evidence set out in the relevant proof and on this basis the Council raised no objection.

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney (2018), which refined the 'Wheatcroft principles' set out in Bernard Wheatcroft v Secretary of State for the Environment (1982)

Main Issues

5. The Council failed to determine the planning application within the prescribed period and therefore the appellant exercised their right to submit this appeal. The Council has confirmed through putative reasons for refusal that, had it been able to do so, it would have refused the proposal due to concerns regarding the adequacy of the housing mix, the impact on the Green Belt and the effect on the living conditions of neighbours. Although not a putative reason for refusal, the Council was also concerned by the lack of a planning obligation securing the provision of affordable housing.
6. Subsequently, the appellant and Council reached common ground that a planning obligation, in the form of a legal agreement, would adequately address the provision of affordable housing. This was submitted after the Inquiry closed. They also reached agreement that the imposition of planning conditions would ensure neighbouring properties in Halliford Close would retain adequate privacy. As a result, this is not a main issue.
7. Although not a putative reason for refusal, the Flood Risk Assessment identifies the appeal site as being at medium risk from surface water flooding. Accordingly, I raised this point with the Council and appellant at the Case Management Conference and invited further representations. A round table session was subsequently held at the Inquiry to further discuss this matter, which I have ultimately addressed as a main issue given what I heard.
8. Consequently, the main issues in this appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect of the proposal on the openness and purposes of the Green Belt;
 - Whether the proposal would be in a suitable location, with reference to policies concerned with development in areas at risk of flooding;
 - Whether the proposal would deliver an adequate mix of homes;
 - The effect of the proposed development on the living conditions of the occupants of Halliford Close, with reference to outlook;
 - Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations to establish the very special circumstances necessary to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

9. Saved Policy GB1 of the Spelthorne Borough Local Plan 2001 (LP) states development will not be permitted [in the Green Belt] except for appropriate uses. It then goes on to list five categories of appropriate development. The appeal scheme would not meet any of them and would therefore be inappropriate development in these terms. However, Policy GB1 is inconsistent with the National Planning Policy Framework (the Framework), which has an expanded list of exceptions. The Council and appellant agree that this main issue should be considered with reference to the exceptions in the Framework.

10. Paragraph 149 of the Framework explains that the construction of new buildings in the Green Belt should be regarded as inappropriate development unless it is a stated exception identified in a closed list. In this instance the relevant exception is set out at Paragraph 149(g) and is:

(g) Limited infilling or the partial or complete redevelopment of previously developed land.....which would:

- *not have a greater impact on the openness of the Green Belt; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area...*

11. The first line in Paragraph 149(g) was accurately described at the Inquiry by both the Council and appellant as a 'gateway' test, in that it must apply before moving on to consider the first and second indents i.e. the effect on the openness of the Green Belt and the contribution towards affordable housing.
12. The appellant submits that the gateway is passed if the scheme includes, or predominantly includes, the redevelopment of Previously Developed Land (PDL). Such an approach would allow development to stray beyond PDL. However, in many incidences the likely outcome would be a greater impact on the openness of the Green Belt due to the inherent sprawl straying beyond PDL would cause. This would make the first indent test very difficult to surmount and almost meaningless. This approach would also be disproportionate, as it would open the door to a proposal where a small area of PDL could justify a substantial incursion into undeveloped land. This could seriously undermine the effectiveness of the Green Belt.
13. In any event, the appellant's approach would require Paragraph 149(g) to be read in a different way to how it is written. In effect, words would need to be inserted so that it read something along the lines of *[development including] or [development substantially including] limited infilling or the partial or complete redevelopment of previously developed land*. I appreciate that the Inspector in the Loxley Works appeal² did just that, and effectively inserted the phrase 'mainly involving' into Paragraph 149(g) for the purposes of his assessment³. However, when having regard to the Council's submissions I find no contextual reason to approach the text in the Framework in this way. The appellant points to Paragraph 119 of the Framework as setting out a policy objective of making as much use of PDL as possible. But it does not directly advocate development on undeveloped Green Belt land to facilitate this. The objective of Paragraph 119 of the Framework would be advanced by containing housing to PDL.
14. To my mind, the 'gateway' would only be passed if the new buildings forming the proposed redevelopment would be contained to land that is already developed. This is because Paragraph 149(g) refers to the 're' development 'of' PDL. This interpretation, as advocated by the Council, is entirely logical because it allows new development to replace existing development which, by its very presence, is already impacting the openness of the Green Belt. This allows scope for redevelopment that need not have a greater impact on openness by virtue of the scheme occupying the same area of PDL. The effect

² CD10.28

³ Decision Letter Paragraph 32 (DL32)

- on openness can then increase significantly, albeit if contained to PDL, if that approach can be justified by the contribution made to affordable housing.
15. In respect of the latter, I do not consider any contribution to affordable housing is sufficient to raise the openness test from 'any greater impact' to 'substantial harm'. Otherwise, a single affordable home could justify substantial harm to the Green Belt, which would again be disproportionate. Instead, it is a matter of planning judgment whether the 'substantial harm' test should be applied. Factors to consider when formulating a judgment can be the contextual need and the proportion of affordable homes proposed. In this case, 50% of the homes would be affordable housing and they would be delivered in the context of an acute housing need in the local planning authority area. This could be sufficient to justify applying the 'substantial harm' test.
 16. It is common ground between the parties that the appeal scheme would extend beyond PDL. Indeed, the Inspector dealing with the previous appeals⁴ explained that land to the east and west of the small industrial estate within the appeal site is not PDL⁵. Moreover, the Waste Transfer Station is now heavily overgrown such that any fixed surface infrastructure that may have once been apparent has blended into the landscape. As such, it no longer meets the definition of PDL in the Framework.
 17. The previous Inspector appeared to confirm that of the schemes were entirely on PDL. He nevertheless concluded that Appeal B would be appropriate development in the Green Belt. However, this seems to be predicated on a finding that the parcel of land not falling in the definition of PDL was a small slither along the site access. This approach is perhaps not strictly in accordance with the exception for the reasons set out above, but it is nevertheless clear that the strip of land was immaterial to the Inspector's assessment due to its size and neutral impact on openness. The same cannot be said of the scheme before me, as a large part of the proposal would be on land that is not PDL.
 18. In conclusion, the proposed buildings would not be contained to land that is previously developed and therefore the appeal scheme would not meet the exception in Paragraph 149(g) of the Framework. Even if my interpretation of Paragraph 149(g) is wrong in this regard, I have, for the reasons given below, identified substantial harm to the openness of the Green Belt. The proposal would therefore be inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt.

The effect of the proposed development on openness

19. The Planning Practice Guide (PPG)⁶ explains that an assessment of openness is capable of having both spatial and visual aspects. The spatial dimension is usually concerned with the quantum of development proposed relative to what is already there, whereas the visual assessment is focussed on how openness is experienced before and after the proposal. The disposition and arrangement of development can be relevant in gauging the effect on openness. Other factors identified in the PPG as potentially being relevant are the duration of the development, its remediability and the degree of activity.

⁴ APP/Z3635/W/20/3252420 and APP/Z3635/W/21/3268661

⁵ DL15, DL17 and DL18

⁶ Paragraph: 001 Reference ID: 64-001-20190722

20. In this instance, the footprint, floor area and volume of the existing development on the site have been agreed in the Statement of Common Ground. There is, however, dispute regarding the scale of the up lift that would occur because of the appeal scheme. Both the Council and appellant have provided figures, but the appellant has curiously excluded the volume of the roofs of the proposed dwellings from their calculations. The car ports and substation are also omitted. Alternatively, the Council's assessment is more logical. Its figures are therefore more robust and preferred.
21. The Council's assessment confirms that the volume of development would increase from 3,500 cubic metres to 29,500, which would be a larger increase than the scheme dismissed on appeal⁷. A substantial impact on openness was identified in that instance by the Inspector. The proposal before me would result in an uplift in volume of around 843%. This is on account of the increase in the number of buildings, the enlarged footprint and because they would be tall two storey structures. Even on the applicants figures the increase would be 721%. If the approved scheme⁸ is factored in as the baseline, then the volumetric increase would still be substantial at around 290%.
22. This considerable increase in built volume at the appeal site would not be offset by a reduction in hardstanding. Indeed, the appellant's figures in this respect did not factor in the construction of patios and terraces in the gardens of the proposed houses. The overall extent of hardstanding is therefore unlikely to reduce. That said, I share the view of the appellant that it is not just the extent of hardstanding that needs to be considered but also the use.
23. As things stand, the existing hardstanding is used to store a large number of vehicles and other paraphernalia. This has a transient character, but it nevertheless detracts from the openness of the Green Belt due to its urbanising appearance. Patios would not have the same effect. Nevertheless, the proposal would also include high numbers of parked cars, driveways and roads. This activity and development would have a greater spread. Accordingly, the reconfiguration of hardstanding would not in any meaningful way offset the increase in built form, which would have a more permanent and taller appearance in any event.
24. The appellant's have also suggested that removing the WTS would offset the increase in built form and thus the loss of openness. It is a point of agreement between the Council and appellant that part of the appeal site could lawfully be used as a WTS. However, the WTS has not been operational for some time and has become so heavily overgrown that it has blended back into the landscape. Substantive evidence is not before me to suggest the use will likely start up again. Indeed, the presence of an extant residential permission, which could be implemented as a fall back and includes an open space in the location of the WTS, strongly suggests it will not restart. Accordingly, the 'removal' of the WTS is not a factor that would offset the substantial loss of openness.
25. The appeal scheme would include the provision of a large public open space and the appellant suggest this is another factor that would offset the decrease in openness. However, in purely spatial terms it is clear that the net effect of the appeal scheme would be a reduction in the extent of open undeveloped land. Whether there is access to that land does not alter that spatial equation.

⁷ APP/Z3635/W/20/3252420

⁸ APP/Z3635/W/21/3268661

26. The provision of a large open space may, however, factor into the visual effect on openness, to which I now turn.
27. The appeal site currently encompasses several distinct areas including a bungalow and its curtilage, a small industrial estate, grazing paddocks and the area once used as the WTS. The largest of these is the paddocks which have a perceptible rural character. As already mentioned, the WTS does not appear operational, is heavily overgrown and largely screened by well vegetated bunds and hedging. As a result, the WTS blends with the rural appearance of the paddocks. Accordingly, there is a clear demarcation between the western boundary of the industrial estate and the countryside beyond.
28. The low-rise buildings in the industrial estate are set back from the road behind an overgrown area immediately north of 139 Upper Halliford Road and the bungalow identified as building B.02 on the plans. A semi mature hedge marks the boundary between these parcels of land and the road. Consequently, there is an important buffer between the industrial estate and Upper Halliford Road. This was recognised by the previous Inspector⁹. The outcome being that the industrial estate is not prominent in views along Upper Halliford Road unless one is standing directly outside the entrance.
29. The industrial estate spans the width of the site and includes a cluster of single storey buildings mainly arranged to the southeast of the complex. The areas of the estate not occupied by buildings are given over to hard standing. Upon this hard standing several vehicles are stored. There is also security fencing in place and other paraphernalia. The industrial estate is prominent in views from the public footpath that skirts the northern boundary of the appeal site.
30. Given the foregoing, it is apparent that the areas east and west of the industrial estate contribute positively to the openness of the Green Belt as they are largely undeveloped or rural in character. On the other hand, the industrial estate has a distinctly built-up character, but the visual impact of this is contained by the low height, clear boundaries and changes in land uses. The industrial estate is visible from the footpath but less so from Upper Halliford Road due to the important setback.
31. The appeal scheme would result in built form breaching the existing well established western boundary of the industrial estate. This would result in most of the homes being built on land that is currently experienced as countryside. That being grazing land with a rural character. This impact would be apparent from neighbouring properties in Halliford Close and the footpath to the north. It would be seen as an enlargement of built form rather than a consolidation. Moreover, the provision of open space would not result in a rebalancing because the extent of developed area would appear greater than the existing, or if viewed relative to the approved scheme. In effect, open land would be moved around the site, but its extent would decrease.
32. That said, the presence of a large intervening open space would soften views of the proposed housing from the footpath, especially if generously landscaped, including hedging and tree planting along the spine road. Moreover, built form would be pushed back from the northern boundary of the site. However, the kinetic experience when walking along the route would still be dominated by the presence of a tightly packed mass of houses, spread beyond PDL and

⁹ Including DL38

- appearing relatively tall in the context of Halliford Close. The open space would also include suburban features such as footpaths, a playground and formal kick about area. This would be unlike the rural character of the grazing paddocks.
33. Accordingly, there would be significant harm to the openness of the Green Belt. This would be the case despite the generally localised effect because the countryside to the west of the industrial estate forms part of an important gap between settlements, where the experience of openness is of heightened value.
34. The proposal would also result in buildings being constructed to the north of 139 Upper Halliford Road and thus closer to the road than is currently the case. The buildings would be tall with gardens, fencing and other paraphernalia filling the space between the hedge and buildings. It would therefore be very apparent in views up and down Upper Halliford Road, and from Halliford Park, that development is closer to the road. Development would also be much nearer to the road than would be the case in the approved scheme.
35. For reasons I go into, this easterly expansion would be seen as eroding a sensitive gap between two built up areas and this effect would occur despite the presence of the proposed 'strategic gap'. The easterly expansion of built form closer to the road frontage, when taken with the western incursion into the countryside, moves the harmful visual impact on openness from significant to substantial. Substantial harm is a high bar, but the appeal site occupies an important gap between settlements as identified in the Council's Green Belt Assessments. These circumstances are not the same as in the Sondes Place Farm decision¹⁰ and consequently there is no inconsistency.
36. The appellant has sought to argue that ecological improvements, enhancements to the quality of the landscape and improved recreational opportunities can be used to offset the harm identified to openness. These points are material to my overall assessment, but they have no meaningful bearing on openness. I have therefore returned to them later in my decision.
37. In conclusion, when considering the spatial and visual dimensions of openness it is apparent that the appeal scheme would have a much greater and permanent urbanising impact on the openness of the Green Belt than what is currently on site or approved. Overall, the level of harm to openness would be of substantial magnitude. This would undermine the fundamental aim of the Green Belt. The appeal scheme would therefore be at odds with Policy GB1 of the LP, which seeks to maintain openness.

The effect of the proposal on the purposes of the Green Belt¹¹

Purpose a) To check the unrestricted sprawl of large built up areas

38. The Council's Stage 1 Green Belt assessment¹² robustly defines 'sprawl' as *the outward spread of a large built-up area at its periphery in a sporadic, dispersed and irregular way*. It also identifies large built-up areas and a strategic band of Green Belt that maintains the separation between them. Upper Halliford and Shepperton are settlements which are located between the large built-up areas of Ashford/Sunbury-on Thames/Stanwell, Chertsey and Walton on Thames¹³.

¹⁰ ID8

¹¹ It is common ground that Purpose d) is not relevant

¹² See CD6.4

¹³ Map 4.4

The area of built development south of Upper Halliford Station and north of the appeal site is identified as forming part of the large built-up area of Ashford/Sunbury-on Thames/Stanwell. It is therefore reasonable to conclude that the appeal site is on the edge of a large built-up area.

39. The appeal site is located within Area 39 as defined in the study. This area scored as contributing to Purpose a) in a moderately high way (a score of 3+ out of 5), in that its openness checks the unrestricted sprawl of Ashford/Sunbury-on Thames/Stanwell. The Stage 1 assessment was subsequently refined with Stage 2 and Stage 3 assessments. These drilled down into smaller sub areas and identify the appeal site as Area 39b and then HS1/009. In both assessments the contribution of the appeal site to Purpose a) is downgraded to moderate (a score of 3) due in large part to the presence of the industrial estate in the appeal site, which has resulted in some sprawl. I consider this to be a fair assessment which I have adopted.
40. The appeal site is therefore moderately contributing to Purpose a) and the appeal scheme needs to be seen in this context. The proposal would result in a substantial intensification in the extent of development in the appeal site and therefore an increased sense of sprawl on the edge of a large built-up area would be unavoidable. This would be all the more so as the development would breach the well-defined boundary of the PDL and thus appear irregular.
41. That said, the impression would principally be of Upper Halliford extending towards Ashford/Sunbury-on Thames/Stanwell on account of the proposed strategic gap. This gap would restrict further growth and sprawl of the large built-up area. Moreover, the development would not appear significantly dispersed or sporadic due to the existing built context and the relationship the scheme would have to this, especially the depth aligning with Bramble Close. As a result, the appeal scheme would only moderately conflict with Purpose a).

Purpose b) Prevent neighbouring towns merging into one another

42. The existing industrial estate has a north south arrangement that spans the entire width of the site. Because of this, there is already a sense that Upper Halliford Road and Ashford/Sunbury-on Thames/Stanwell are merging. That said, it is quite a weak appreciation due to the existing buildings in the site being single storey, generally set away from the northern boundary and back from Upper Halliford Road. Moreover, only a relatively short section of the industrial estate adjoins the northern boundary of the appeal site.
43. This conclusion is reinforced by the Council's Green Belt assessments. Stage 1 identified Area 39, which includes the appeal site, as a relatively small land parcel sandwiched between Areas 38 and 32, which are much larger. Together these areas of Green Belt prevent Upper Halliford from merging into the large built-up area of Ashford/Sunbury-on Thames/Stanwell. Area 39 was found to be especially important in that regard because it is a narrow bridge between Areas 38 and 32. As such, Area 39, and subsequently Area 39b and HS1/009 in the Stage 2 and 3 assessments, were rated as strongly performing against this Green Belt purpose. This is largely on account of the open areas to the west and east of the PDL.
44. As already explained, the area to the west of the industrial estate has a rural character because it encompasses grazing land and the area of the overgrown WTS. There is a clear boundary between the industrial estate and this parcel of

countryside. As such, the encroachment of the appeal scheme into this part of the site would result in a sense of Upper Halliford and Ashford/Sunbury-on-Thames/Stamwell merging to a much greater extent than is currently the case. The impact would be significant rather than substantial due to the presence of the strategic gap, which would be quite wide west of the existing PDL. It would also ensure development is set away from the edge of Sunbury-on-Thames.

45. The area to the east of the industrial estate incorporates a bungalow, its garden and an undeveloped area all set behind a hedge. This creates a visual gap between Upper Halliford and Ashford/Sunbury-on-Thames/Stamwell when looking along the road. This sense of a gap is further reinforced by the low heights of 137 and 139 Upper Halliford Road, which are also set behind a hedge and not especially visible in medium distance views. The gap is very sensitive along the road frontage because it is small. Therefore, further ribbon development here would erode the sense of a space between neighbouring towns in a highly prominent and sensitive location along a well-used A Road.
46. The appeal scheme would bring development closer to Upper Halliford Road and this would appear as ribbon development. The impact would be a visual erosion of the existing roadside gap. This would harm the site's contribution to Purpose b). The proposed strategic gap would provide a spatial and visual break and reinforce the 'bridge' between Areas 38 and 32. However, it would be at its narrowest along the road frontage despite the gap being at its most sensitive. As a result, the strategic gap, whilst providing some mitigation, would not extinguish the overall merging effect. Indeed, the site frontage would appear more built up with the appeal scheme, including the strategic gap, than it would without. This would be due to the height and position of the proposed development north of 139 Upper Halliford Road.
47. The approved scheme would result in housing spanning the width of the appeal site from north to south. This would increase the sense of merging over and above the existing industrial estate. That said, the approved scheme included a 'no build zone' to the east of the proposed houses and this would retain a sense of roadside separation between Upper Halliford and Ashford/Sunbury-on-Thames/Stamwell. The appeal scheme would not replicate this feature and would therefore have a greater impact.
48. The proposed disposition of buildings within the appeal site is based on the plan accompanying the emerging allocation HS1/009¹⁴. This includes a building zone in Part A that incorporates the land north of 139 Upper Halliford Road. However, for the reasons set out above I consider building here would be especially harmful. Moreover, the emerging policy is yet to be examined and currently only carries moderate weight. It is also unclear how some of the findings justifying the emerging allocation were arrived at, including that the approved scheme would run along the front of the site adjacent to Upper Halliford Road and the site is predominantly PDL. Thus, the emerging allocation, and the Officer's assessment underpinning it, does not alter my view that the proposal would harmfully undermine Purpose b).
49. In coming to this view, I have carefully considered the Surrey Landscape Character Assessment (LCA), which excludes the industrial estate and the land between it and Upper Halliford Road from landscape character area RV3, which is described as a river valley floor adjacent to a built-up area. The inference

¹⁴ Pre Submission Spelthorne Local Plan 2022 – 2037 – CD6.1

being that the authors of the LCA considered the area to the east of the industrial estate to already be built-up. I can see why they came to this view given the presence of the bungalow. However, it is not a finding I share for the reasons already given, namely that there is an appreciable spatial and visual gap along the road frontage. The appeal scheme would harmfully erode it.

50. Thus, the appeal site currently contributes strongly to Purpose b). When considering the appeal scheme in this context the impact would be harmful because there would be a clear perception of neighbouring towns merging. The strategic gap would provide some mitigation, but it would be narrow along the site frontage. Overall, there would be a significant level of harm to Purpose b).

Purpose c) Safeguard the countryside from encroachment

51. The Council's Green Belt assessments have been generally consistent in finding a rural character in the western part of the site and a more urban character to the east due to the industrial estate. At all three stages the assessments described the appeal site as being semi-urban overall. They also noted the presence of the railway line, which splits the appeal site from the countryside beyond, and the urban views of development in all directions. As a result, the appeal site was found to perform at the lower end of the scale in respect of this purpose. This is a generally fair assessment which is also supported by the appellant's Landscape and Visual Impact Assessment.

52. For the reasons already set out, the proposal would significantly expand development west into the rural part of the site. This would harm the contribution currently made by the site to Purpose c). This is all the more so because the WTS has blended back into the landscape and therefore the expansion would not be between two areas of PDL.

53. However, the contribution of the site to Purpose c) is low and the encroachment into the countryside would be contained to an extent by the railway line and strategic gap. Nor would it extend past Bramble Close. The expansion would also be viewed in the context of surrounding built form. As a result, the encroachment would result in limited harm to Purpose C.

Purpose e) Assist urban regeneration by recycling derelict and other urban land

54. As explained above, the appeal site is reasonably described in the Green Belt assessments as semi-urban land. It is not identified as urban land and that is understandable given the large area of grazing paddock that has a rural character. In addition, the appeal site is not identified as forming part of a settlement or being within a large built-up area. These are all conclusions I share. As a result, the appeal scheme would not amount to urban regeneration or the recycling of urban land. Nor is the site derelict.

55. Indeed, this Green Belt purpose is strategic in its aim. This is because preventing development in the Green Belt restricts the supply of land. Thus, urban land outside the Green Belt is more likely to be recycled and regenerated because development is directed there. The appeal scheme would not gain support from this purpose because undeveloped land would be built upon.

Overall conclusion on purposes

56. In conclusion, the appeal scheme would harmfully undermine the purposes of the Green Belt. The harm in respect of Purpose b) would be significant.

Although in this instance there is no development management test relating to Green Belt purposes, as it is not relevant to the question of inappropriateness, this is nevertheless an important matter to be weighed in the balance. It would also result in a conflict with Policy GB1 of the LP, which seeks to secure development that would not conflict with the purposes of the Green Belt.

The suitability of the appeal scheme with reference to flood risk

57. Paragraph 161 of the Framework explains that to avoid flood risk to people and property, a sequential, risk-based approach to the location of development should be taken to flood risk from all sources, and that this should be done by applying the sequential test.
58. When considering the flood risk of the site, the Environment Agency's (EA) surface water flood map identifies small areas of the appeal site as being at medium to high risk of surface water flooding. During the Inquiry Mr Hughes on behalf of the Council confirmed this was also his view.
59. The Flood Risk Assessment (FRA)¹⁵ submitted as part of the application by the appellant, which is up to date and site focussed, states that parts of the site are at medium risk of surface water flooding. The Sequential Test Statement¹⁶ appended to Mr Ledwidge's rebuttal likewise states that areas of the appeal site are a medium risk of flooding. These areas are small as a proportion of the appeal site, but the layout proposes residential development within them. Therefore, my planning judgment as to whether a sequential test is required must be informed by the meaningful risk to people and property. This is not, for example, a case where only areas of landscaping would be at risk.
60. During the Inquiry Mr Lecocq suggested that the appeal site is at low risk of surface water flooding because of infiltration. However, this opinion departs from the EA map and the views expressed in both the FRA and the Sequential Test Statement. The latter two were written by Meyer Brown with the benefit of the results of infiltration testing. I therefore found his evidence unconvincing. The Council and Mr Lecocq also tried to argue that the site would be safe, and thus at a low risk of flooding, following mitigation in the form of a drainage strategy. However, that is applying the exception test to justify not applying the sequential test. Such an approach would be entirely at odds with the first sentence in Paragraph 163 of the Framework, as supported by a more direct statement in the PPG¹⁷.
61. Moreover, I do not share the view that it would be appropriate in this instance to consider overall flood risk by averaging it out across the site. This is because the evidence before me does not demonstrate the existence of areas at low risk of surface water flooding would result in the areas at medium risk being significantly less likely to be flooded. I therefore conclude that the site is at medium risk of surface water flooding.
62. In arriving at this view, I note that the Framework states that the Strategic Flood Risk Assessment (SFRA) will provide the basis for applying the sequential test. The SFRA does not identify the site as being at risk of flooding because it is outside Flood Zones 2 and 3¹⁸. However, the PPG states that only if a *site* is

¹⁵ Flood Risk Assessment and Drainage Strategy January 2023 by Meyer Brown

¹⁶ Also by Meyer Brown

¹⁷ Paragraph: 032 Reference ID: 7-030-20220825

¹⁸ Reference to the SFRA was made in the Sequential Test Statement

in an area at a low risk of flooding from all sources should the sequential test not be undertaken¹⁹. This is consistent with the Framework which refers to development being steered to areas at the lowest risk of flooding from any source. As parts of the proposal would be at medium risk of flooding, it cannot be said that the *site or development* would be in an area of low risk of flooding from all sources. It would therefore seem from the evidence before me that the SFRA is inconsistent with the Framework and PPG and thus out of date as the basis for applying the sequential test.

63. Instead, the Sequential Test Statement states that strictly speaking the sequential test should be undertaken if a medium risk from surface water flooding is equated to the flood risk found in Flood Zone 2. This seems like a sensible approach that would be broadly consistent with Paragraph 162 of the Framework. This explains that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. A medium risk cannot be equated to an area at the 'lowest risk'. Indeed, the PPG²⁰ confirms that the sequential approach means avoiding development in medium and high-risk flood areas. Thus, the presence of areas at medium risk of flooding in the site is sufficient in this instance to engage the sequential test.
64. My conclusion that a sequential test should be undertaken is not one that the Lead Local Flood Authority (LLFA) came to. However, the comments from the LLFA do not address this point and simply focus on the technical acceptability of the drainage strategy with reference to Paragraph 169 of the Framework. This is unsurprising, as the question of whether to apply the sequential test is a planning policy matter for the decision maker to consider.
65. The PPG explains²¹ how the sequential test should be applied whereby areas of lowest risk of flooding are considered first, then medium and then high. In so doing the sequential test area will be defined by local circumstances relating to the catchment of the proposed development. The appeal scheme is not supported by a sequential test that has listed other sites in a robustly defined sequential test area (STA), and then considered if they are of a lower flood risk and reasonably available. Given the wide catchment of the proposed development, the sequential test area could be quite generous and perhaps borough wide. In the absence of this information, the appellant has failed to establish that there are no sequentially preferable sites that are reasonably available. As the sequential test has not been undertaken, the exception test in Paragraph 163 of the Framework is not relevant at this stage.
66. In coming to this view, I have carefully considered the suggestion in the Sequential Test Statement that there would be little point in undertaking a sequential test because the EA maps show a medium risk of surface water flooding almost everywhere in the local area. The term 'local area' appears to be a reference to Upper Halliford and Ashford Common²². However, the reasoning for this local area being the sequential test area is not before me. As a result, it does not justify the failure to apply the sequential test. Similarly, I am aware that a sequential test was not undertaken as part of the emerging allocation, but this seems to assume the risk from surface water flooding is 'low

¹⁹ Paragraph: 027 Reference ID: 7-027-20220825

²⁰ Paragraph: 023 Reference ID: 7-023-20220825

²¹ Paragraph: 024 Reference ID: 7-024-20220825 and Paragraph: 027 Reference ID: 7-027-20220825

²² Due to the plans provided on p2 therein

level²³. It is unclear upon what basis this judgment was reached given what the EA surface water flooding map shows.

67. I therefore conclude that the proposal would be at a medium risk of flooding and this risk has not been adequately justified through the absence of sequentially preferable sites considered in a logical and robustly identified STA. The proposal would therefore be contrary to the Framework, which aims to sequentially direct development away from areas at medium and high risk of flooding to avoid flood risk to people and property. Indeed, it instructs that development should not be allocated or approved if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The proposal is therefore at odds with the flood risk policies in the Framework and this alone provides a clear reason to refuse the application.

Whether the proposal would provide an adequate housing mix

68. Policy HO4 of the CS²⁴ states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments of a certain scale to provide at least 80% of their total as one- and two-bedroom homes. The use of the word 'by' means that it is the 80% total that is the development management test in the policy and not the overall aspiration to reflect community needs.
69. There was some debate at the Inquiry as to whether this matter is before me. This is because floor plans have not been submitted so the number of bedrooms in each home is unstipulated. Alternatively, both scale and layout are fixed so the size of the individual dwellings can be estimated. The implication being that there would probably have to be large one- and two-bedroom homes to meet policy requirements.
70. Nevertheless, it is necessary to look at the overall size of a proposed home, as well as the number of bedrooms planned, before deciding whether it would be the type of smaller home Policy HO4 identifies as being needed. As a result, I lean more towards the Council's submissions on this point, that it is a matter that should be considered at this stage. In this respect, the appeal scheme would deliver just 43% of the total number of homes as one- and two-bedroom properties. It would therefore be at odds with Policy HO4 by some way.
71. That said, the Framework seeks to ensure that the size, type and tenure of housing reflects the needs of different groups in the community. To do this, the housing mix required by development plan policies will need to be underpinned by up-to-date evidence and a flexible approach that can adapt to change. In this instance, the 80% requirement in Policy HO4 is based on evidence that is now dated. Indeed, the Council's adoption of the Housing Size and Type Supplementary Planning Document, which advocates a more flexible approach to the mix, is tacit acceptance of this. Indeed, the SPD illogically seeks to supplement Policy HO4 by explaining that in some areas its requirements should not be followed. This is not the proper role of an SPD.
72. In fact, the most up to date evidence in the Council's more recent Strategic Housing Market Assessment (SHMA) indicates that there is a growing need for larger family accommodation. I take this to be a reference to homes with three or more bedrooms. On the back of this evidence base, the Council's emerging

²³ CD6.3 p93

²⁴ Core Strategy and Policies Development Plan Document 2009

Policy H1 takes a more flexible approach and does not set out an 80% requirement for one- and two-bedroom homes. Accordingly, the weight to be attached to the conflict with Policy HO4 is limited.

73. Instead, it is more instructive to consider the proposal against emerging Policy H1. This states that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs. And proposals will be expected to contribute to meeting identified housing needs by having regard to the housing types, sizes and mixes as set out in the SHMA.
74. In respect of market housing, the appeal scheme would adhere to the suggested mix in the SHMA. It would also adhere to the suggested mix for 2-bedroom affordable rent properties. The mix is slightly short in respect of 1 bedroom and 4-bedroom affordable rent properties on account of the greater proportion of 3-bedroom homes. That said, there would not be a large departure, and 3-bedroom properties can provide greater flexibility. There is a greater departure from the suggested mix with regards to starter/first homes as all would be 1-bedroom dwellings when the suggested mix is 15-25%.
75. It is important to note that the draft policy only requires that regard be given to the SHMA rather than adherence to the suggested mix. In this respect, the mix of market housing adheres to the suggested mix in the SHMA and the mix for affordable rent has broadly been informed by it. The starter homes less so, but that would only be a small fraction of the overall number of homes proposed. It must also be borne in mind that the need for all forms of affordable housing in the borough is acute, so any provision would be meeting an urgent need.
76. When taken as a whole, the proposed mix of homes would have regard to the SHMA and deliver a wide choice. As a result, there would be no conflict with emerging Policy H1. This is an important material consideration that outweighs the limited weight I attach to the conflict with Policy HO4. I therefore conclude by finding that the appeal scheme would provide an adequate mix of homes.

The effect on the living conditions of the occupants of Halliford Close

77. Policy EN1 of the CS states that new development should achieve a satisfactory relationship with adjoining properties in terms of outlook. I have taken a satisfactory relationship in this context to be the same as the high standard of amenity sought by Paragraph 130 of the Framework.
78. The Council's residential development SPD²⁵ is a useful starting point in considering the effect of the proposal on the outlook of the occupants of Halliford Close. It explains that to protect privacy and outlook, two storey properties should have a back-to-back distance of 21m with a back to rear boundary distance of 10.5m. This increases to 30m and 15m respectively for three storey properties. The SPD does not define what constitutes two and three storey buildings but does explain that the reference is intended to convey a general sense of scale. Therefore, taller buildings should be further away from neighbouring properties.
79. The appeal scheme proposes two storey homes north of the houses in Halliford Close that would be 8.7m to ridge and 6m to eaves. I share the view of the Council that these would be tall two storey homes. By way of comparison the

²⁵ Design of Residential Extensions and New Residential Development Supplementary Planning Document 2011

homes in Halliford Close are around 7.6m tall and 4.9m to the eaves. In general, two storey properties are unlikely to need to exceed 8m in height.

80. As a result, the appeal scheme does not fall to be assessed against the guidance for two storey properties. However, 8.7m is not quite a three-storey building either. The scheme originally proposed 9.5m ridge heights and this would probably be more relevant in that regard. Therefore, it would be excessive to apply all the guidance relating to three storey properties. Importantly, the appeal scheme would achieve a back-to-back distance of 30m, which is the distance the SPD recommended for a three-storey property. This is a strong indication that the outlook would be satisfactory as there would be intervening space to allow for planting, views towards the sky and an appreciation of the immediate surroundings without feeling enclosed.
81. The scheme would not adhere to the back to rear boundary distance for three storey properties. However, this is a standard aimed more at privacy. Thus, failure against this is not fatal to the assessment of outlook. This is more so in this instance as the properties in Halliford Close have quite deep rear gardens and therefore the occupants have a greater control over their own outlook.
82. The proposed dwellings would be arranged in a reasonably tight line with only small gaps between terraces and semis. The effected properties would therefore look out towards a reasonably continuous row of built form. However, this is not unusual in the locality. For example, the relationship between the properties in Cherry Way and those on the southern side of Halliford Close. As the proposed back-to-back distance would be notably greater in the appeal scheme, the outlook would be relatively better than when compared to other existing properties nearby.
83. In conclusion, due to the back-to-back distance of at least 30m relative to the height of the proposed dwellings, and the ability for intervening planting, the appeal scheme would not harm the outlook from the properties in Halliford Close. The living conditions at these properties in respect of outlook would therefore be of a relatively high standard and thus satisfactory. A conflict with Policy EN1 of the CS would not occur as a result.

Other Considerations

Contribution to housing land supply

84. Paragraph 60 of the Framework sets out the objective of significantly boosting the supply of housing with Paragraph 74 setting out a requirement that local planning authorities provide a minimum five-year housing land supply. The appellant and Council suggest the housing land supply position is between 2.79 and 3.52 years. On either measure there is a significant deficit. Indeed, the short-term picture is a worsening one, as the Inspector dealing with the previous appeals found a 4.79-year supply.
85. This situation is aggravated by the significant extent of under delivery, as confirmed by the most recent Housing Delivery Test (HDT). The outcome being that a 20% buffer is applied to the housing requirement. This was because only 69% of housing need was delivered in the preceding three years. There is no substantive evidence before me to suggest the situation has improved.
86. Another outcome of the HDT is that the Council must prepare an action plan setting out how it will address the shortfall. I understand that this includes

several actions such as reducing the time limit for implementing planning permissions, building positive relationships with developers, pre-application advice, training and simplifying conditions discharge. This approach may explain the increase in the HDT measure from 50% in 2021 to 69% in 2022. As a result, the Council appears to be making some progress.

87. Moreover, the Council are working on a new local plan which will provide a reservoir of housing land. Once adopted, the Council should be able to demonstrate a five-year housing land supply. However, the Council have been working on a new local plan for some time given that the CS was adopted in 2009. Apparently, 90% of English Councils have adopted a local plan since this date. The time taken to adopt a new local plan has been described by the appellant as a policy failure and I can see why.
88. Moreover, there is lingering uncertainty as to the plan's progress. This is on account of the examination being paused at the Council's request. The Council are also considering their options with regards to challenging the intervention from the Minister of State for Housing and Planning directing that the plan shall not be withdrawn, and on conclusion of the examination that consideration is given to adopting it. The pause appears to be on account of potential changes to the Framework and the subsequent chance that amendments may need to be made to the emerging local plan. This all adds to the uncertainty over when adoption would occur. That said, the Council are still working on matters outlined by the examining Inspector and the indications are that it is committed to adopting a local plan in the short term.
89. In this context, it is important to consider the deliverability of the proposal. Being an outline scheme, there would need to be clear evidence²⁶ that housing completions will begin on site within five years for it to be treated as deliverable²⁷. Such clear evidence is not before me. Indeed, the appellant does not intend to develop the site and would therefore need to sell it on. The new owner would then need to make an application for the approval of reserved matters. In addition, the appeal site is currently occupied by commercial businesses that would have to be moved on. These points are resolvable but will take time. A planning condition can be imposed to require commencement within three years, but not housing completions. As a result, it may be that the new local plan is in place before housing completions begin on site. The local plan suggests delivery of HS1/009 within 1-5 years of the plan's adoption, but it is unclear upon what evidence this conclusion is based. These points moderate the weight afforded to the benefit of housing delivery.
90. It is also necessary to record that Spelthorne is a highly constrained borough due, in large part, to the extent of Green Belt. By design, Green Belts are in place to retain openness by preventing most forms of development, including housing. A key characteristic is their permanence. Therefore, a circular situation can arise where Green Belts by design prevent housing, this contributes to an issue with supply, and then the shortfall in supply is used to justify housing in the Green Belt. Mr Hughes explained that this can undermine the permanence of the Green Belt and I agree. The Framework promotes a strategic approach to Green Belt release, having regard to their intended permanence, for this reason.

²⁶ PPG - Paragraph: 007 Reference ID: 68-007-20190722

²⁷ See glossary of the Framework

91. In summary, there is currently a large housing supply shortfall in the borough that has resulted in a significant under delivery. Matters will improve with the new local plan, but there is uncertainty over the timeframe and therefore caution should be applied. Indeed, there is a real possibility that the Council may not be able to demonstrate a five-year housing land supply soon. The delivery of up to 80 homes would be a notable benefit although it is tempered by the action the Council is taking, the likely timescale for deliverability and the need to have regard to the intended permanence of the Green Belt. Overall, the benefit would be substantial rather than very substantial.

Provision of affordable housing

92. The evidence adopted by Mr Roberts regarding the need for affordable housing is undisputed by the Council. It sets out in clear and sobering detail that there is an acute affordable housing crisis in the borough. The context means that a contribution to affordable housing is likely to be a very important benefit, especially when considering recent trends in delivery, which have been very low. That said, the extent of the benefit must be calibrated with reference to the number of affordable homes proposed. For example, delivery of 100 affordable homes would be a much greater benefit than delivering 1.

93. The previous Inspector gave significant weight to the delivery of affordable housing. This was in 2021 and therefore matters are likely to have got worse. In addition, the proposal before me would deliver many more affordable homes. Other Inspectors have sometimes given the delivery of affordable housing at a similar level very substantial weight²⁸. In one case, very substantial weight was even given to the benefit of delivering 21 affordable homes²⁹, although that may be because it was exceeding the relevant policy requirement by 15%. Very substantial weight was also given to the delivery of affordable housing in the Sondes Place Farm decision, but more homes were proposed in that instance than is currently the case in the appeal before me.

94. Alternatively, the Secretary of State gave substantial weight to a scheme proposing a much larger number of affordable homes³⁰ than is currently proposed. Given the context in Spelthorne, and the number of homes proposed, the delivery of affordable housing is an especially important benefit that attracts substantial weight.

Use of previously developed land

95. As previously outlined, the appeal site includes previously developed land. Paragraph 120c of the Framework states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes. 'Suitable' is not defined, but I am mindful that the PDL can be developed for housing because permission was previously granted for such. That said, I question whether Paragraph 120c) intends for substantial weight to be attached to the reuse of brownfield land if it would amount to inappropriate development in the Green Belt and is part of a scheme where most of the buildings would be constructed on land that is not previously developed. Indeed, the Housing White Paper³¹ states that PDL should be used, in part, to

²⁸ CD10.8, CD10.9

²⁹ CD10.10

³⁰ CD10.13 – The Inspector gave very significant weight to this matter in their report

³¹ Fixing our Broken Housing Market 2017, Paragraph 1.24

limit the pressure on the countryside. The scheme would, however, expand development into the countryside.

96. In any event, as the Council's Green Belt assessments reasonably conclude, the appeal site is located between the large built-up area of Ashford/Sunbury-on-Thames/Stanwell and Upper Halliford. It is therefore outside a settlement. In arriving at this view, I note that the previous Inspector found the bungalow to the east of the industrial estate to be within a built-up area for the purposes of applying the definition of PDL. That said, it does not necessarily follow that the bungalow and its curtilage are also within a settlement. The view taken in the Green Belt assessment, which I concur with, is that it is a built-up parcel of land between settlements. The reuse of previously developed land attracts middling weight as a benefit in this instance.

Other benefits

97. There would be some short-term benefits to the construction industry from building the scheme and long-term economic benefits from further spending post occupation. The Council and appellant agree that this carries moderate weight. There is also agreement that moderate weight can separately be given to the accessible location of the proposal and the removal of a bad neighbour use³². Limited weight is also given to the provision of a pedestrian crossing.
98. The provision of a strategic gap in the form of a public open space would contribute positively to the aims set out in Paragraphs 142 and 145 of the Framework. Indeed, the public open space would enhance access to outdoor recreation and remediate the currently unused WTS. However, there is already a generous of public open space and the WTS has blended back into the landscape. The provision of the open space would also create an area to moderately enhance biodiversity and the Council does not dispute the appellant's suggestion that there would be a minor/moderate improvement to the landscape. Overall, the delivery of the open space, and the benefits flowing from this, attracts moderate weight.

Emerging policy

99. The appeal site is allocated for housing in the emerging local plan. The plan is reasonably advanced, albeit that there is some uncertainty at present regarding its progress given the pause in the examination. There does not appear to be many objections to emerging allocation HS1/009 but I have outlined above some issues with the underlying justification that may require further clarification. Green Belt release can also be acceptable through the development plan if there are exceptional circumstances. Therefore, the principle of allocating the site for development would be consistent with the Framework. That is of course, if I were to set aside the flood risk concerns. I am also mindful that the 'exceptional circumstances' test for allocating housing in the Green Belt through a development plan is a lower threshold than the 'very special circumstances' test required to grant planning permission following the submission of an application. Overall, only moderate positive weight can be given to lack of conflict with the emerging allocation.

³² Mr Ledwidge revised the latter down from significant and removed public opinion as a benefit from his case

Other Matters

100. Various concerns have been raised by interested parties including traffic and the safety of the railway crossing, which I have noted. However, given my findings above it has not been necessary for me to address these matters further as the appeal has failed on the main issues.
101. The appellant has also referred to several appeal decisions. I have had regard to these where relevant. However, in general they relate to other schemes where matters of weight and judgment are case specific. I have come to my own conclusions for the reasons given, based on the merits of the cases and evidence presented, heard, and seen.

Whether there would be Very Special Circumstances

102. The appeal scheme would be inappropriate development in the Green Belt. As a result, the only pathway for approval is if the appellant can demonstrate very special circumstances. As specified in the Framework, very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
103. I have concluded that the appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. I have also concluded that the appeal scheme would substantially and permanently harm the openness of the Green Belt and significantly and harmfully undermine Green Belt purposes. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt. This is a metaphor for indicating the importance of the issue rather than a measurement that can or should be inserted into a quasi-mathematical equation. In this case, the harm to the Green Belt would be extensive and serious and thus carries weight of a high order. In addition, there has been a failure to undertake a sequential assessment in respect of flood risk. I have, however, set this aside for the time being.
104. On the other hand, the appeal scheme would assist in addressing the acute housing supply shortfall and would deliver affordable housing in an area of very high need. The appeal scheme would provide other advantages including the reuse of some brownfield land, the accumulation of economic benefits and the provision of open space with associated gains in access, biodiversity and landscape character. Emerging policy also currently seeks to release the appeal site from the Green Belt for housing. These points cumulatively carry weight of a high order and are therefore very important.
105. Protecting the Green Belt is a matter of great importance to the Government, and I have considered the proposal with this in mind. On balance, the other considerations would not clearly outweigh the harm to the Green Belt. Accordingly, the very special circumstances necessary to justify the development have not been demonstrated and therefore a conflict with Paragraph 148 of the Framework would occur. This is not a material consideration that suggests the proposal should be determined otherwise than in accordance with the development plan.

Planning Balance and Conclusion

106. Paragraph 11d of the Framework is engaged on account of the Council currently being unable to demonstrate a five-year housing land supply. This

states that permission should be approved unless, in the first instance, the application of policies in the Framework that protect areas or assets of particular importance, such as the Green Belt or areas at risk of flooding, provide clear reasons to refuse the proposed development. In this instance, the proposal fails against both the Green Belt and flood risk policies. Consequently, there are clear reasons to refuse the proposal and therefore the 'tilted balance' in Paragraph 11d)ii of the Framework is not engaged.

107. The proposed development would adhere to Policy EN1 of the CS. It would also adhere to other development plan policies for the reasons set out in the Committee Report. In addition, the conflict with Policy HO4 would be outweighed by other material considerations. Nevertheless, the proposal would substantially harm the Green Belt contrary to Policy GB1. This is an important matter that leads to a conflict with the development plan taken as a whole. Material considerations, including the Framework and the very special circumstances test therein, do not indicate the proposal should be determined otherwise than in accordance with the development plan. Accordingly, the appeal has been dismissed.

Graham Chamberlain
INSPECTOR

INQUIRY DOCUMENTS

ID01	List of the Council's appearances
ID02	Final Statement of Common Ground (general matters)
ID03	Opening submissions by Mr Williams
ID04	Opening submissions by Mr Grant
ID05	Amended development zone height parameter plan
ID06	Amended proposed parameter siting plan
ID07	Letter from Jamie Roberts offering to present evidence instead of Mr Stacey
ID08	Appeal decision APP/C3620/W/23/3324631
ID09	Final draft of the planning obligation
ID10	Copy of completed planning obligation dated 5 December 2023